

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
vs.)
)
Corneliu Weikum and Yulia Mishina-Heffron,)
)
Defendants.)
_____)

Case No.: 2:12-cr-00346-GMN-NJK

ORDER
(ECF No. 71)

Pending before the Court is the United States' Motion to Dismiss (ECF No. 71) the Third-Party Claims of William Geisler (ECF No. 46) and James Balger (ECF No. 32). Mr. William Geisler filed a Response and Supplemental Petition (ECF Nos. 72, 73), and the United States did not file a Reply.

The Court finds that Third-Party Claimants William Geisler and James Balger have failed to demonstrate they have standing to file a claim pursuant to 21 U.S.C. § 853(n)(2).

Third-Party Claimants William Geisler and James Balger will be able to participate in the restoration process, since it appears that both claimants may be entitled to the benefit of partial restoration by virtue of them being named victims in the restitution component of the Judgment and Commitment Order.

Accordingly,

IT IS HEREBY ORDERED that the United States' Motion to Dismiss (ECF No. 71) the Third-Party Claims of William Geisler (ECF No. 46) and James Balger (ECF No. 32) is **GRANTED**.

1 **IT IS FURTHER ORDERED** that the Motions/Petitions of both Third-Party Claimants
2 William Geisler (ECF No. 46) and James Balger (ECF No. 32) are **DISMISSED without**
3 **prejudice.**

4 **DATED** this 18th day of June, 2014.

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8 Gloria M. Navarro, Chief Judge
9 United States District Judge
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